

HOUSE BILL No. 1319

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-38.1; IC 20-19-7; IC 20-32-5-12; IC 20-32-5-13.5.

Synopsis: Education matters. Repeals a provision that establishes an expiration date of January 1, 2015, for the commission on education (commission). Provides that the commission may study and evaluate issues relating to the education of the citizens of Indiana. Changes the date, from December 1 to November 1, on which the commission's final report is due. Makes conforming amendments. Establishes the commission on unused and underutilized school facilities. Requires the department of education (department) to disaggregate from the ISTEP program test results the percentage of students in each school and each grade who are identified as high ability students by the school corporation who achieved a score in the highest performance level designated for the ISTEP program test. Requires the department to develop a format for school corporations to publish, as part of the school corporation's annual report, the percentage of students in each school and each grade who are identified as high ability students and also achieved a score in the highest performance level designated for the ISTEP test.

Effective: Upon passage; July 1, 2014.

Behning

January 15, 2014, read first time and referred to Committee on Education.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1319

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 2-5-38.1-1.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: **Sec. 1.5. (a) The commission is**
4 **established to study and evaluate issues relating to the education of**
5 **the citizens of Indiana.**

6 **(b) The commission may study and evaluate issues:**

7 **(1) required to be studied by the commission by law;**

8 **(2) assigned to the commission by the legislative council; or**

9 **(3) approved by both cochairpersons of the commission.**

10 SECTION 2. IC 2-5-38.1-2, AS ADDED BY P.L.254-2013,
11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2014]: **Sec. 2. (a) In addition to issues studied by the**
13 **commission under section 1.5 of this chapter,** the commission on
14 education ~~is established to~~ **may** study and evaluate the following
15 issues:

16 **(1) Methods for accurately evaluating teacher preparation**



programs:

(A) using data regarding individuals who obtain teaching positions within and outside Indiana; and

(B) using an individual's grade point average.

(2) The use of teacher evaluations for measuring teacher preparation programs.

(3) The financial costs for students pursuing postsecondary education, including but not limited to workplace certifications, associate degrees, and baccalaureate degrees. The commission shall identify opportunities, methods, and strategies to increase the affordability of such programs in Indiana.

(4) On time degree completion rates for public and nonpublic Indiana colleges and universities. For purposes of this section, completing a degree "on time" means completing the degree within four (4) academic years for a baccalaureate degree or within two (2) academic years for an associate degree. The commission shall identify opportunities, methods, and strategies to increase the percentage of students in Indiana who complete a degree on time.

(5) Any other issue assigned to the commission by the legislative council.

(b) This section expires December 31, 2015.

SECTION 3. IC 2-5-38.1-2.2, AS ADDED BY P.L.246-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2.2. **(a)** The commission ~~is established to~~ **may** study and evaluate the following issues, in addition to those set forth in ~~section~~ **sections 1.5 and 2** of this chapter:

(1) The development of definitions of excused and unexcused absences from school.

(2) The effectiveness of voluntary agreements between school corporations and courts having juvenile jurisdiction in providing court supervised educational programs, alternative programs, or diversion programs for students who are habitually truant, suspended, or expelled from school, including:

(A) the number and types of agreements and programs in Indiana;

(B) the effects of the programs on families and students; and

(C) the success of the programs in reintegrating students into the classroom.

(3) Evidence based practices and model programs for reducing absenteeism and supporting student engagement and achievement.



(4) The feasibility of modifying Temporary Assistance for Needy Families (TANF) program eligibility for households to include school attendance requirements for students.

(5) Any other issue related to student absenteeism.

(b) This section expires December 31, 2015.

SECTION 4. IC 2-5-38.1-4, AS ADDED BY P.L.254-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. The commission shall annually submit the commission's final report to the legislative council in an electronic format under IC 5-14-6 not later than ~~December 1~~: **November 1**.

SECTION 5. IC 2-5-38.1-9 IS REPEALED [EFFECTIVE JULY 1, 2014]. ~~Sec. 9: This chapter expires January 1, 2015.~~

SECTION 6. IC 20-19-7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 7. Commission on Unused and Underutilized School Facilities

Sec. 1. As used in this chapter, "commission" refers to the commission on unused and underutilized school facilities established by section 2 of this chapter.

Sec. 2. The commission on unused and underutilized school facilities is established to:

(1) examine the feasibility of establishing a local, regional, or statewide entity or partnership that would use a portfolio management approach to providing unused or underutilized school facility management and oversight to ensure the optimal use of:

(A) unused or underutilized school facilities; and

(B) state and local funds; and

(2) prepare the report described in section 6 of this chapter.

Sec. 3. (a) The commission consists of nine (9) members appointed by the governor.

(b) The governor shall appoint the chairperson of the commission.

(c) The governor shall make an appointment promptly to fill any vacancy on the commission.

Sec. 4. (a) The commission shall meet at the call of the chairperson.

(b) Five (5) commission members constitute a quorum.

(c) The affirmative votes of at least five (5) commission members are necessary for the commission to take official action other than to adjourn or to meet to hear reports or testimony.



1 **Sec. 5. (a) Each member of the commission who is not a state**
 2 **employee is entitled to the following:**

3 **(1) The salary per diem provided under IC 4-10-11-2.1(b).**

4 **(2) Reimbursement for traveling expenses as provided under**
 5 **IC 4-13-1-4.**

6 **(3) Other expenses actually incurred in connection with the**
 7 **member's duties as provided in the state policies and**
 8 **procedures established by the Indiana department of**
 9 **administration and approved by the budget agency.**

10 **(b) Each member of the commission who is a state employee is**
 11 **entitled to the following:**

12 **(1) Reimbursement for traveling expenses as provided under**
 13 **IC 4-13-1-4.**

14 **(2) Other expenses actually incurred in connection with the**
 15 **member's duties as provided in the state policies and**
 16 **procedures established by the Indiana department of**
 17 **administration and approved by the budget agency.**

18 **Sec. 6. Before November 1, 2014, the commission shall submit**
 19 **a report to the governor and the legislative council in an electronic**
 20 **format under IC 5-14-6. The report must include the following:**

21 **(1) Specific and detailed recommendations for the**
 22 **establishment of a local, regional, or statewide entity or**
 23 **partnership that would use a portfolio management approach**
 24 **to providing unused or underutilized school facility**
 25 **management and oversight.**

26 **(2) Recommendations to establish a transparent and reliable**
 27 **mechanism to establish a complete and accurate list of unused**
 28 **and underutilized school facilities from around Indiana on an**
 29 **annual basis.**

30 **(3) Recommendations as to how the list described in**
 31 **subdivision (2) may be annually audited for its accuracy.**

32 **(4) Recommendations regarding the feasibility of transferring**
 33 **ownership or management of unused or underutilized school**
 34 **facilities, along with the associated local property tax funds,**
 35 **to a single public or public-private entity.**

36 **(5) Recommendations regarding the skill set and quality**
 37 **control provision necessary for the entity recommended in**
 38 **subdivision (1) to conduct quality unused or underutilized**
 39 **school facility oversight and management responsibilities,**
 40 **including skills necessary to address real estate finance and**
 41 **bonding issues relating to the transfer of unused or**
 42 **underutilized school facilities.**



(6) The recommended structure for enabling the local, regional, or statewide entity to lease unused or underutilized school facilities to public schools, including charter schools or private schools based upon an objective analysis of need, population growth, academic performance, and fiscal health.

(7) Specific recommendations for legislative changes necessary to comply with the commission's recommendations in subdivisions (1) through (6).

Sec. 7. The Indiana department of administration shall provide staff and administrative support to the commission.

Sec. 8. This chapter expires January 1, 2015.

SECTION 7. IC 20-32-5-12, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 12. The department shall develop a format for the publication by school corporations in an annual performance report required by statute of appropriate academic information required by the department, including ISTEP program test scores **and information required to be disaggregated by the department under section 13.5 of this chapter**, in a manner that a reasonable person can easily read and understand.

SECTION 8. IC 20-32-5-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 13.5. The department shall disaggregate from the total results of the ISTEP program test results for a school corporation the percentage of students in each school and each grade in the school corporation that are identified as high ability students (as defined by IC 20-36-1-3) by the school corporation who also achieved a score in the highest performance level designated for the ISTEP test. However, this disaggregation is not required in a case in which the results would reveal personally identifiable information about an individual student under the Family Education Rights and Privacy Act (20 U.S.C. 1232g et seq.).**

SECTION 9. An emergency is declared for this act.

